

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION**

2006 JUL 28 P 2:30

**DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

COMES NOW the Defendant, the City of Lanett, by and through its attorney of record, and respectfully request the Court to grant summary judgment in its favor. As reasons therefore, the Defendant would rely upon the attached Brief in Support of Motion for Summary Judgment and the affidavits and documents attached thereto.

Further, the Defendant would state that the Plaintiff failed to prove a prime facie case of retaliation. Further, the Defendant has a legitimate non-retaliatory reason for the employment decision made.

Therefore, there are genuine issues of material facts and the Defendant's Motion for Summary Judgment is due to be granted. Therefore, the Defendant would respectfully request the Court to grant its Motion for Summary Judgment pursuant to Fed. R. Civ. P., Rule 56.

Respectfully submitted,



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T. RANDALL LYONS (LYO006)  
Attorney for Above-named Defendant

OF COUNSEL:

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**CERTIFICATE OF SERVICE**

I hereby certify that I have served a copy of the foregoing mail on all counsel of record as listed below by placing a copy thereof, in the United States mail, postage prepaid, on this the 28<sup>th</sup> day of July, 2006.

Heather Newsom Leonard  
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OF COUNSEL